



RESTRICTION ELECTION FACSIMILE TRANSMISSION

DATE: April 8, 2002

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GROUP 1600

OFFICIAL

TO EXAMINER: Amy DeCloux

ART UNIT: 1644

SERIAL NUMBER: 09/751,797

FAX/TELECOPIER NUMBER: (703) 308-4315

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LUD-5543.3 JEL/NDH (10027207)
Decloux/Indt B/#8
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Laurie Olds
Laurie Olds

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant : L. DUMOUTIER, et al.
Serial No. : 09/751,797
Filed : December 29, 2000
For : ISOLATED NUCLEIC ACID MOLECULES WHICH
ENCODE T CELL INDUCIBLE FACTORS (TIFs), THE
PROTEINS ENCODED, AND USES THEREOF
Art Unit : 1644
Examiner : Amy Decloux

April 8, 2002

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

S I R:

**RESPONSE TO RESTRICTION REQUIREMENT
AND PRELIMINARY AMENDMENT**

Responsive to the restriction requirement of March 26, 2002, applicants elect Group III, i.e., claims 1, 3, 4, 7, 8, 10, 11, 14, 15, 16, 18 and 19 as they relate to SEQ ID NOS: 24 and 25, and TRAVERSE the restrictions between Groups I and III.

The examiner has alleged "unique biochemical and structural characteristics" which render Groups I and III separately patentable; however, the only argument advanced in support of this is the fact that the sequences are different. Sequence difference, per se has never been sufficient, in and of itself, to support restriction. Further, the evidence supports sufficient